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SUBJECT: SEMI-ANNUAL FRAUD SUMMARY - DAKAR

REF: A) 08 STATE 74840; B) DAKAR 388

¶1. The following is Embassy Dakar's semi-annual fraud reporting cable covering the period of March 1, 2009 to August 31, 2009. Responses are keyed to Ref A.

¶2. A. COUNTRY CONDITIONS: Senegal is a secular republic with a strong presidency, weak legislature, a compliant judiciary, and multiple weak political parties. The country is predominantly rural with limited natural resources. Between 60 and 70 percent of the Senegalese workforce relies on agriculture, either directly or indirectly, to earn a living. In 2008, Senegal's growth rate fell from 4.8 percent to an estimated 2.5 percent, despite a good agricultural harvest. The economy is highly vulnerable to variations in rainfall and fluctuations in world commodity prices. As a result, increasing numbers of young Senegalese are moving to the cities to seek employment. With a 45 percent unemployment rate (and a very high underemployment rate), many Senegalese seek work opportunities in the U.S. and Europe. In 2007, over 30,000 Africans - including many Senegalese - attempted to migrate to Europe via clandestine fishing boats bound for Spain's Canary Islands.

Senegalese officials are addressing a difficult build-up of arrears owed to the private sector, which has contributed to the economy's slowdown, and likely even higher unemployment.

The global economic crisis has begun to negatively impact Senegal as the cost for government and private financing has increased. There are also strong indications that formal and informal remittances from Senegalese living and working overseas have begun to decrease. Since a single Senegalese worker in Europe or the U.S. can provide significant disposable income for an extended family, or even a small village, such a downturn could have very direct and negative impacts on poverty levels. There is growing concern that high volumes of illegal narcotics are transiting through West Africa, in all likelihood including Senegal. This dynamic also raises concerns about increasing levels and sophistication of corruption, money laundering, and other financial crimes which could exacerbate consular-related fraud in the region.

Dakar is a high fraud post. Senegal serves as a regional airline hub for West Africa, has daily direct flights to New York, Washington, and Atlanta, and is used by many West Africans to transit to the U.S. It is relatively easy to obtain fraudulent civil documents, such as false birth and marriage certificates, not only in Senegal but also in neighboring countries. Senegalese and other nationalities are also able to obtain genuine documents, including Senegalese passports, using false identities. Imposters with authentic travel documents are a recurring problem.

In general, Senegalese place a high value on extended kinship networks. Affluent family members are expected to share their wealth, influence, and opportunities with all those who ask. Many Senegalese, including wealthy ones, view travel to the U.S. as an opportunity to earn money to send home and/or obtain free medical care. The obligation to family and friends typically trumps all

other obligations in the Senegalese value system. Many Senegalese genuinely believe that developed countries should (or even have an obligation to) accept more immigrants from Africa because of poverty. Moreover, they do not believe that immigration from Africa causes any harm to developing countries. As a result, many Senegalese see nothing wrong with submitting a fraudulent visa application or with assisting a family member or friend with a fraudulent application.

B. NONIMMIGRANT (NIV) FRAUD: The most common type of NIV fraud involves applicants submitting fraudulent documents as part of their B1/B2 visa applications. These documents include false bank statements, invitation letters, employment letters, hotel reservations, and passport stamps. The quality of the fraudulent documents is generally poor and, therefore, relatively easy to detect. Mala fide applicants often submit similar, recognizable packets of false documents, leading Post to conclude that brokers are selling the documents to visa applicants. Consular officers routinely refuse these cases under INA section 214(b) rather than refer them to the Fraud Prevention Unit (FPU).

NIV applicants use two primary tactics to hide past overstays in the U.S.: claiming to have lost the passport last used to travel; and obtaining genuine, but backdated Senegalese immigration entry and exit stamps. As a result, adjudicating officers must carefully scrutinize applicants with previously issued NIVs. Applicants often present passports with fake entry and exit stamps from Dubai, Morocco, Senegal, and China. Access to ADIS has dramatically improved Post's ability to detect overstays.

Post receives very few H1B applications and thus encounters little fraud in this area.

DAKAR 00001238 002 OF 004

C. IMMIGRANT VISA (IV) FRAUD: Post processes IVs and Fiance Visas (K1 Visas) for the following countries: The Gambia, Guinea, Guinea-Bissau, Mali, Mauritania, and Senegal. Prior to May 2009, Post also processed IVs for residents of Sierra Leone; Embassy Freetown assumed processing of these cases during this reporting period. Post processes Asylee/Refugee Following-to-Join family members (V92/93) for residents of Senegal and Guinea-Bissau. Adjudicating officers refer approximately 30 percent of these applications to the FPU. Of the cases referred to the FPU, approximately 40 percent involve fraud.

Relationship fraud is rampant in IV and K1 applications. In all seven countries listed above, applicants can easily obtain genuine civil documents with false information and so DNA testing is often the only means to confirm a biological relationship. DNA testing is used most often in IR2 or V92/93 cases, less so in IR5 cases.

In addition, FPU has been particularly successful this year using a combination of CCD, LexisNexis, and Social Security records to reveal fraud connecting seemingly unrelated cases.

Some CR1 and K1 applicants attempt to hide previous marriages to someone other than the petitioner, either by representing themselves as single or by producing false divorce certificates. Fraud by applicants claiming to be single can sometimes be detected when a spouse is indicated in a previous NIV application or passport application in PIERS. Those with false divorce documents often fail to terminate a marriage with an African spouse before petitioning for entry based on a relationship with an American spouse or fiance. This is particularly problematic in this region, where polygamous marriages are common.

Post rarely sees fraud by applicants for employment-based IVs.

Though Post does not routinely question the petitioner's legal status in V92/V93 cases, during this reporting period Post sent two V92 files to the DHS Fraud Office with the recommendation that the petitioner's asylum status be re-examined. During the V92 interview process Post found significant evidence which contradicted the asylees' claims.

During the reporting period, Post returned 76 petitions to USCIS with the recommendation that they be revoked.

1D. DV FRAUD: DV applicants frequently present forged high school degrees or, less frequently, falsified work records to qualify for DV status. Because the issuance of Baccalaureate (college entrance exam) certificates is strictly controlled in Senegal, the majority of forged and counterfeit documents are easily detected.

Although in the past, it has been difficult to verify WAEC (West African Examinations Council) diplomas in The Gambia, with the help of Embassy Banjul, Post has had greater success in identifying fraudulent Gambian DV claims.

Educational documents in Guinea are all certified by a single person at the Ministry of Education, which makes these documents particularly vulnerable to fraud. With the help of Embassy Conakry, Post has had success submitting "blind verifications" of these documents to the Ministry for authentication.

Post also receives numerous DV cases in which the applicant marries immediately after being notified of winning the lottery; Post scrutinizes these alleged relationships closely. In many of these "pop-up" spouse cases, the principal applicant applies alone, presumably attempting to defer scrutiny of the marriage until later in the DV season, after his or her visa is approved. Post generally defers issuance to the principal applicant until the spouse appears for an interview.

1E. ACS AND PASSPORT FRAUD: While Post has experienced little evidence of fraud over the past six months in CRBA or passport applications, we do require DNA exams in a high percentage of our first-time, overseas birth cases.

1F. ADOPTION FRAUD: Post processes orphan adoption cases from six West African countries, having returned Sierra Leone cases - our most numerous - to Freetown in May 2009. Post adjudicates a fair number of orphan adoptions from Gambia, and in most confirms the facts of the case via a field investigation conducted by Embassy Banjul.

Post continues to experience a high rate of IR-2 adoption fraud. In many West African cultures, families will take in and raise the children of their relatives, without undertaking a formal adoption. When the opportunity to immigrate arises later in life, they often attempt to document their extended relatives with fraudulent

DAKAR 00001238 003 OF 004

adoption decrees.

1G. USE OF DNA TESTING: Post uses DNA testing most frequently in IR2, family preference IVs, V92s, and CRBA cases. Post also receives many DNA tests conducted prior to interview, often at the recommendation of USCIS. Post is forced to discount the majority of these tests, given a lack of satisfactory evidence of chain-of-custody.

1H. ASYLUM AND OTHER DHS BENEFITS FRAUD: Most of post's V92/93 cases involve applicants from Mauritania, Sierra Leone, and Guinea. Relationship fraud is rampant and DNA is often requested to confirm the relationship. These cases are vulnerable to age fraud (representing an adult as a child under 21), due to the applicants' inability, at times, to acquire either birth certificates or passports in their country of origin.

Embassy Dakar sees a steady stream of applicants who claim to have lost their I-551s (Green Cards). Many of these cases involve applicants who have abandoned their legal permanent residence status by remaining outside of the U.S. for more than one year.

When airport security suspects a passenger of document-related fraud, they will deny boarding and report the incident to the consular section. These passengers then appear at Post to request that the Embassy authenticate their refugee travel documents or green cards.

Post makes use of both ADIS and the DHS Forensic Documents Laboratory to request application images with which to verify documents and also to determine whether green card holders have departed the U.S. within the past year.

I. ALIEN SMUGGLING, TRAFFICKING, ORGANIZED CRIME, TERRORIST TRAVEL:

Post has seen little hard evidence of alien smuggling or trafficking among visa applicants. While there are terrorist groups and organized crime in the region, this does not appear to affect our consular operations.

J. DS CRIMINAL FRAUD INVESTIGATIONS: The Consular Section and RSO cooperate actively in fraud cases involving citizenship claims and other criminal issues. The two offices exchange fraud-related information on a regular basis, taking advantage of each other's unique contacts and database access. During this reporting period the RSO and Consular Office continued to follow the case an American citizen arrested in Dakar for attempting to smuggle aliens into the U.S. (Ref B). The American was sentenced to, and served, six months in Senegalese prison before being released in early September.

K. HOST COUNTRY PASSPORT, IDENTITY DOCUMENTS, AND CIVIL REGISTRY: Senegal issues four types of passports: regular, diplomatic and official (passeport de service), and a special passport that is used exclusively for the Hajj (passeport pour le pelerinage). There are at least two iterations of each passport that are currently valid and in circulation. Regular, diplomatic, and official passports all contain 32 pages and an image of the Senegalese seal that is only visible under ultraviolet light. All passports have separate book numbers and passport numbers. In addition, at the end of December 2007, Senegalese authorities began issuing regular passports containing an electronic chip.

Diplomatic and official passports are often issued to non-diplomats and non-official travelers, such as prominent business owners and their families and religious leaders. Post carefully interviews B1/B2 applicants holding these types of passports to determine visa eligibility.

L. COOPERATION WITH HOST GOVERNMENT AUTHORITIES: The host government in Senegal cooperates well in fraud matters and requests for document verifications. Nevertheless, because of the high incidence of fraud, post always submits "blind" verification requests, providing authorities with only a minimum of data on the document and requesting that the authorities provide the rest.

In Senegal, not all forms of visa fraud are regarded as serious offenses and even government officials are at times willing to use their positions to help friends and relatives obtain visas. While the GOS does prosecute serious perpetrators, particularly foreign scam artists, it will often drop criminal charges if the perpetrator pays restitution to his/her victims.

M. AREAS OF PARTICULAR CONCERN: K1, CR1, and IR1 visa fraud are very common in Senegal. Almost 80 percent of K1 applicants are referred to the FPU for investigation and approximately 30 percent are returned to the Department of Homeland Security with a recommendation for revocation. Advance fee fraud and dating scams are common in Senegal and Post regularly receives emails or calls

DAKAR 00001238 004 OF 004

from Amcits who have fallen victim to the scam.

N. STAFFING AND TRAINING:

1) Matilda Gawf, Vice-Consul, part-time Fraud Prevention Manager (FPM). No formal fraud prevention training.

2) Consular Associate, Eric Redd (FPC) arrived December 2008. No formal fraud prevention training.

3) Moussa Sy, Locally Engaged Staff, part-time Local Fraud Investigator. Attended FSI fraud training in Fall 2007.

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